

SPRING 2014

OFF THE WALL WC&C

An Industry Publication by the Wall Ceiling & Carpentry Industries of New York, Inc.

Taking a pro-active stance on Fall Hazards

OSHA's National Safety STAND-DOWN

— page 12

Our Aging and Dangerous Urban Infrastructure

— page 22

Photos from WC&C's
17th Annual
Dinner Dance
inside on pages 16-21





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CALENDAR Through September 2014

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2014			
May 20 (Tues)	Board	4:00 pm	TBD
May 20 (Tues)	Membership	6:00 pm	TBD
June 11 (Wed)	Board	7:30 am	Assn. Office
June 16 (Mon)	Annual Golf Outing	TBD	N. Hempstead CC & Village Club at Sands Point
July 9 (Wed)	Board	7:30 am	Assn. Office
August 19 (Tues)	Board	4:00 pm	Westbury Manor
August 19 (Tues)	Annual Barbecue	6:00 pm	Westbury Mnaor
Sept 16 (Tues)	Board	4:00 pm	TBD

WC&C OFF THE WALL

Off The Wall is published through the Promotional Fund by the Association of Wall-Ceiling & Carpentry Industries of New York for the benefit of the membership. It is distributed to members, associate members, union affiliates, and legislators. Editorial contributions, including pictures and story ideas, are welcome and should be forwarded to the WC&C office, 125 Jericho Tpke., Suite 301, Jericho, NY, 11753.

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Spring 2014



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*From the
Executive Director
John DeLollis*

The UBC's Commitment To The Future

If you haven't heard about the new building at the UBC's International Training Center in Las Vegas, which opened on September 15, 2013, it's time to check it out. In early April contractor members of our association who attended the AWCI Convention at Mandalay Bay were given a tour of the ITC and were quite impressed by this state of the art facility and the visionary programs being taught to instructors throughout the USA and Canada who in turn will bring this expertise back to their local areas. This new facility, built at a cost of \$50 million, brings the total complex to approximately 925,000 square feet on 17 acres. The UBC has purchased an adjacent warehouse which will add training space and are purchasing a hotel located next door to add 150 rooms to the 300 rooms at the existing dormitory. They are also adding a parking garage to the complex.

In addition to the real estate assets, the UBC is developing programs such as INSTALL for the floorcovering trade, the Infection Control Risk Assessment (ICRA) program and the Building Envelope program in which certified carpenters and contractors will be responsible for the entire construction of the building perimeter and the product will be warranted by the UBC for failures. These are "value added" concepts which are necessary for our union carpentry industry to survive and capture market share. We all know we can't compete based on price against those who aren't paying the wage, benefits, taxes and insurance that we are. It's got to be value and **QUALITY DIVIDED BY PRICE EQUALS VALUE.**

You have to see for yourself what is happening at the International Training Center. A newly formed Labor/Management Committee, which your association has been invited to become part of, is planning an Interior/Exterior Systems Leadership Conference to be held at the ITC from October 6th to 8th 2014. Details will become available as planning progresses. Plan on being there. You will not be disappointed. — *John DeLollis*

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*From the
President
Michael Weber*

A Winter to Remember

Holy pot holes! That was a winter to remember, or not! If you were fortunate enough to have the bulk of your projects working on the interior of buildings, perhaps you were able to minimize the loss of productivity we all endured this past winter. On the other hand, if you had exterior work to do, boy that was painful experience!

I would like to acknowledge the WC&C Honorees at our Spring Dinner Dance. Congratulations to Union Official of the Year William Banfield, the Southeast Regional Manager of the Northeast Regional Council of Carpenters. I also want to congratulate Contractor of the Year, Orville Hawes of C.B.I Drywall Corp. Orville has been president of C.B.I for 30 years and has built the company into one of Long Island's premier drywall companies. We had great support for our honorees this year. I hope everyone enjoyed the evening.

I want to highlight the up and coming business development program that the Union Contractors Council is working on implementing. After collaborating with FMI (a research, consulting and investment banking firm) last fall to perform a research survey which will provide a better perception of market drivers and opportunity for union drywall contractors, FMI will create customized marketing plans based on the results of this study. Some of the marketing tools for use will include evaluating the competitive environment, customer targeting, building long-term customer relations and evaluating your marketing effectiveness.

It is important that contractors have a strategic plan that focuses on their individual company. Some key points to consider while constructing your business development plan are understanding external opportunities as well as threats, and examining internal strengths and weaknesses. FMI will be presenting programs for the local chapters of any AWCI union contractor member organization. Stay tuned for further details and have safe and enjoyable summer. — *Mike Weber*

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China Makes Its First Investment In Leading U.S./NY City Construction Management Firm

China State Construction Engineering Corp., China's largest construction company, has made a significant investment in a U.S. construction firm closing the deal for an undisclosed amount to acquire Plaza Construction through its US subsidiary, China Construction America. The China investment marks dynamic growth opportunities for Plaza Construction with greater financial strength and bonding capabilities. This announcement was made today by Richard Wood, Plaza Construction CEO.

"Our firm has always maintained a very 'hands-on' approach to working with our clients and managing world class construction projects for nearly 30 years," says Mr. Wood. "With the recent acquisition, Plaza is poised for accelerated growth with enhanced resources and bonding and procurement capabilities."

Plaza Construction is one of the nation's leading construction management and general contracting companies. Since 1986, the firm has played a very relevant role in building corporate headquarters, commercial properties, healthcare centers, universities, transportation facilities, museums, retail spaces and residential buildings. Since its incorporation in 1986, the firm has grown from a regional organization

to a multi-faceted, national presence in the industry with headquarters in New York and regional offices in Miami, Washington DC and Los Angeles.

Plaza has a reputation for taking an innovative leadership role in the construction industry. The firm has expanded from its New York City base to establishing a company presence in the Mid-Atlantic, Southeast and Southwest corridors of the country with regional offices.

"Plaza's most valued assets are its people, who will have the added fuel to drive the company's growth," concludes Mr. Wood.

Plaza will continue to operate autonomously under the name Plaza Construction with a strategic mission to offer enhanced services and products to existing clients, to follow clients into new geographic markets, and to increase career opportunities. The management team of Plaza will remain in place with Richard Wood as the CEO, Lester Rivelis as the COO and General Counsel, Brad Meltzer as President, Southeast region, and Dan Peyton as Senior Vice President of the Mid-Atlantic region.

SOURCE Plaza Construction

New Luxury Residential Tower 520 Park Avenue Announced



Rendering by Seventh Art for Zeckendorf Development LLC.

Zeckendorf Development announced the design for 520 Park Avenue, a new 51-story, 31 residence luxury tower located on East 60th Street between Park and Madison Avenue on Manhattan's Upper East Side. The building is being developed by Zeckendorf Development, Eyal Ofer's Global Holdings, and Park Sixty LLC, an entity formed by Rafael and Ezra Nasser.

The building will feature 23 full-floor apartments, seven duplexes, and one eight-bedroom triplex penthouse at the top. The duplex and triplex apartments will have uninterrupted views of Central Park, the Upper East Side, and Midtown.

"World renowned Robert A.M. Stern Architects has designed another timeless and classic Manhattan residential building," said William L. Zeckendorf. "520 Park Avenue will set a new standard for elegant design on Manhattan's Upper East Side, and we are certain this luxury residential building will become a landmark in a treasured city neighborhood."

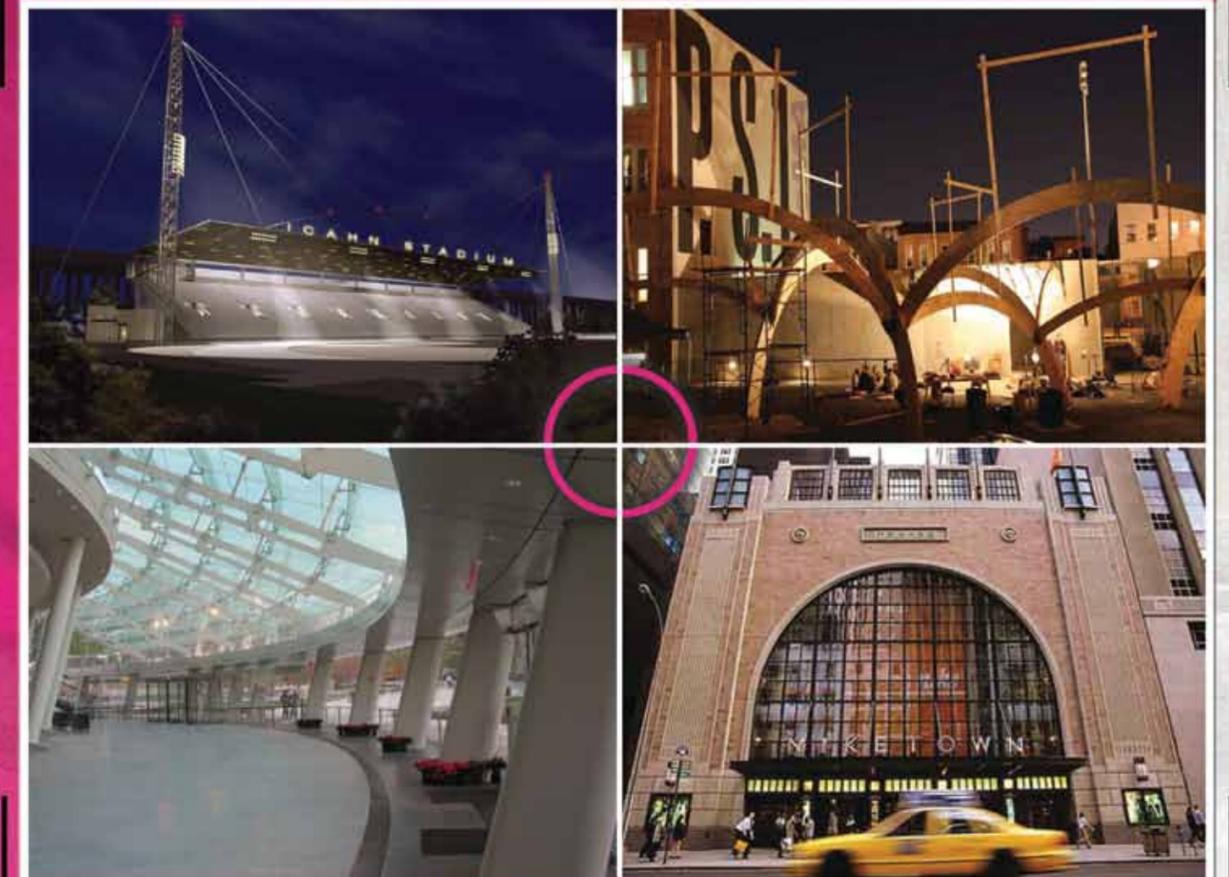
Arthur Zeckendorf said, "520 Park Avenue will be an elegant addition to this Upper East Side neighborhood. Robert A.M. Stern Architects again has contributed a building design that echoes the best of New York City architecture in a 21st century development.

When we built 15 Central Park West, also designed by RAMSA, we then wanted to create a similar iconic limestone residence for the Upper East Side,"

RAMSA Partners Robert A.M. Stern, Paul Whalen, and Michael Jones led the design effort. SLCE Architects is the Architect-of-Record. Construction is expected to be completed in early 2017

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It's The Law

By Mark A. Rosen

Mark A. Rosen is legal counsel to the Association of Wall-Ceiling & Carpentry Industries of New York, Inc. He is a partner in the firm of McElroy, Deutsch, Mulvaney & Carpenter, LLP. Mark practices in the areas of construction and contract law, public contract law, arbitration, surety, and general commercial litigation. He can be reached at mrosen@mdmc-law.com.

The Requirement For New York City Carpenters To Give Review Officer Notice Of Certain Union Decisions Relaxed

A federal court judge issued an amended order allowing the New York City District Council of Carpenters to initiate certain decisions and actions without giving the court-appointed review officer prior notice. The parties involved stated that modification of the order would give the union greater autonomy and an opportunity to demonstrate that reform measures that have been implemented have taken hold and that the union can sustain the reform measures without prior approval or vetoes from the review officer.

Pursuant to the amended order, the review officer is no longer required to review the union's expenditures and investments before they take effect. The union is not required to report any proposed contracts with third parties, other than collective bargaining agreements, or have the review officer review official appointments within the District Council. The court also approved the review officer's proposal to eliminate his ability to veto any of the union's actions if he finds that the union is involved in racketeering or is in violation of other federal law. Instead, the review officer will have the authority to initiate civil contempt proceedings when appropriate.

Administrative Settlement Requires New Jersey Contractor And Plumbers Union To Make Attempts To Recruit More Women

A New Jersey Mechanical Contracting Company and a Plumbers and Pipefitters Local agreed to an administrative settlement whereby the contractor agreed to pay \$400,000 to settle allegations that it violated state law and regulations barring gender discrimination in employment by failing to employ female plumbers on jobs. As part of the settlement, both the union and the contractor agreed to make better efforts to recruit more women.

Pursuant to its collective bargaining agreement with the union, the contractor staffed its projects by requesting workers from the union. A female union member had worked for the contractor on occasional jobs for several years until she was laid off for economic reasons. Thereafter, the company required work on medical gas systems. The woman in question held a certification in medical gas installation but was passed over by the contractor and the union in favor of male plumbers who had fewer years of experience and who were not certified in medical gas installation.

Administrative complaints were filed against the contractor and the union. In addition to the monetary terms under the settlement, the company agreed to work with the union to comply with state hiring goals for female workers, to keep better records of its efforts to reach hiring goals for women, to develop its own anti-discrimination and EEO rules compliance policy and to distribute it to all unions with which it has a labor agreement. It also agreed to provide mandatory training on the policy to all project managers, foremen, hiring personnel and the union business manager. The union agreed to improve its own outreach and recruitment efforts to attract more women to its apprenticeship program.

Multi-Employer Fund Allowed To Conduct Discovery On Business Continuity Issues

A court determined that a multi-employer pension fund could conduct limited discovery into whether an unrelated entity had substantial business continuity and relationships with a contributing employer liable for satisfying part of a judgment for unpaid contributions.

The fund sued company A for unpaid contributions and obtained a \$181,000 judgment. Company A paid only a portion of the amount owed. The fund then pursued company B claiming that it had "substantial continuity" of business operations with company A and should be held liable for the remaining amount due.

The fund argued that the two companies shared the same customers, telephone number, address and registered agent. It claimed they shared certain employees and performed the same type of work.

However, the court noted that while these factors weighed in favor of finding continuity, it found that the typical foundation for successor liability – transfer of assets from the predecessor to the successor who was absent. The court also found that company B had been established as a sole proprietorship eight years before company A had been incorporated.

Based upon the conflicting factors, the court denied the fund's motion to substitute company B as the party defendant, but allowed discovery on limited issues regarding the company's business operations.

Undocumented Worker Status Does Not Preclude Recovery Under New York State Workers Comp Law

New York's highest court ruled that the immigration status of employees does

not affect certain rights of an employer under the Workers Compensation Law.

Injured, undocumented workers had brought personal injury suits against a project owner. The owner brought a third-party suit against the contractor/employer of the employees. The third-party suit sought contribution toward any damages the owner might have to pay.

The court found that the third-party lawsuits were prohibited under the Workers Compensation law which barred such lawsuits against the employer except in cases of grave injuries or where the employer enters into a written contract for contribution or indemnification. The court found that the employer was entitled to the law's safe harbor even though the employees were undocumented.

The decision follows a 2006 decision in which the court ruled that an injured employee's status as an undocumented alien did not preclude him from recovering lost wages in a personal injury case under the state Labor Law. •

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Taking a pro-active stance on Fall Hazards

OSHA's National Safety STAND-DOWN

By Robert Gearty

The Occupational Safety and Health Administration wants contractors and workers in construction to know that “safety pays and falls cost.”

OSHA is getting that message out as part of a vital two-year-old campaign aimed at preventing falls on construction job sites before they happen. Falls are the leading cause of injury and death in construction. But most falls are preventable with proper protection and training.

Now in conjunction with that effort

OSHA is calling for a national safety stand-down from June 2 to 6 to raise awareness about the hazards of falls.

The stand-down is voluntary. Construction employers and workers are asked to pause their workday for one hour any day that week to talk about fall prevention and discuss topics like ladder safety, scaffolding safety and roofing work safety. An official safety stand-down website with information on how to conduct a successful stand-down is at osha.gov/StopFallsStandDown/. OSHA will give participants certificates.

OSHA's goal is to have over 25,000 employers and 500,000 workers across the country participate in the stand-down. “If

we meet this goal, we will have touched almost 1 out of 10 construction workers in the country” OSHA spokesman Andre Bowser said.

Building Trades Employers' Association President Lou Coletti told “Off the Wall” he wants to know more about the stand-down. “I will find out from OSHA if there's anything we want to do together,” he said.

He said BTEA contractors already do a lot to address fall dangers.

“Union contractors in all the trades invest millions of dollars in training, not only for their workforce, the union labor, but in training their own project managers and supervisors on the site,” Coletti said.

“So there's an enormous investment in safety training.”

Drywall contractor Lee Zaretsky also told “Off the Wall” he wanted to know more about the stand-down. He is the president of Ronsco, Inc. of Manhattan, and a member of the board of the Association of Wall-Ceiling & Carpentry Industries of New York.

“**I have a moral obligation to get these guys home safe... I take safety as the highest core value.**”

—Lee Zaretsky, Ronsco, Inc.

Zaretsky said his company has a very pro-active safety program that includes weekly “toolbox talks” that cover falls and other job site hazards. He also subscribes to a software product called eSafetyLine Safety that addresses occupational safety and health. It is available free to WC&C members through the group's website.

Zaretsky said he works hard to keep his employees safe.

“I have a moral obligation to get these guys home safe,” he said. “I take safety as the highest core value.”

Each year falls kill more than 200 construction workers nationwide. Two years ago, 278 workers fell to their death at construction job sites. Thousands more were seriously injured.

In New York City falls involving construction workers are a serious issue. Eight New York construction workers were killed in falls in 2013, one more than the previous year.

The 2013 victims included a 42-year-old worker who fell 15-feet while installing a steel beam at a construction site in Queens, a worker who fell while installing sheeting at a home in Brooklyn and a 56-year-old worker who fell from the top of a New York University building in Greenwich Village.

The city Department of Buildings said recently all three accidents were preventable if only each job site was equipped with adequate fall protection.

Last month falls killed two Manhattan construction workers.

On April 14, a 34-year-old worker was killed when he fell 10 stories from the top of a building on W. 33rd Street. On April 2, a worker in his 40s died after he fell from a scaffold at a hotel on W. 55th St.

Coletti said the two sites were not using union labor. He said OSHA's own statistics show that in New York City in the last five years 75% of all construction-related deaths occurred on non-union jobs ten stories or below.

“Those are the contractors that are not providing safety training in most cases, are not providing the proper equipment on a job site,” he said.

OSHA has held other stand-downs in the past but on a smaller scale.

Last summer OSHA's Region II office called for fall safety stand-downs in New York and New Jersey from June 24 to July 3. Dozens of construction companies got certificates for hosting 265 stand-downs involving more than 9,000 workers.

Two of the participants came from the WC&C: Commodore Construction of Mount Vernon, N.Y., and Jacobson & Company of Elizabeth, N.J. Each firm conducted stand-downs at their job sites at Madison Square Garden with crews of carpenters that numbered more than 30.

The upcoming national stand-down will include the New Jersey Carpenters Apprentice Training and Educational Fund. The fund trains apprentices to become professional carpenters. They could end up working for a WC&C contractor someday.

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OSHA's National Safety STAND-DOWN Poster

Executive director Ridgeley Hutchinson said the fund will hold stand-downs at its North Jersey training facility in Kenilworth and at its South Jersey training facility in Hammonton.

“We already talk about this all the time, but I thought it would be a good idea that week to profile and highlight the hazards of working in areas where there's an extreme potential for falls that can result in serious injuries,” Hutchinson said.

“We just want to remind them of the importance of being careful, so it gives them the idea that it only takes a second to slip or make a mistake and that that can be so detrimental to their life and career,” he said.

For more information, readers should visit <https://www.osha.gov/StopFallsStandDown/>

About the Author:

Off The Wall contributor Robert Gearty is a veteran of over 34 years reporting on the New York City scene. He can be reached at robgearty@verizon.net.



Ceremony And Previews For The 9/11 Community To Precede Historic Opening Of The National September 11 Memorial Museum

A Days-Long Dedication Period with a Ceremony and Museum Previews is for 9/11 Families, 9/11 Survivors, 9/11 Rescue and Recovery Workers and Others Before the Public Opening on May 21

A ceremony and previews for the 9/11 community will lay the path for the opening of the 9/11 Memorial Museum, marking a milestone in American history, the National September 11 Memorial & Museum announced has announced.

A tribute-filled Dedication Period, which includes the ceremony and previews, is planned for 9/11 families, 9/11 rescue and recovery workers, active duty first responders from agencies that lost members in the 9/11 attacks, 9/11 survivors and lower Manhattan residents and business owners before the Museum's public opening. The Dedication Period is from May 15 through May 20. The Museum then opens to the general public on May 21.

During the Dedication Period, the Museum will remain open 24 hours per day, allowing members of this community to visit when it is best for them. Keeping the Museum's doors open for 24 hours during this period will also serve as a small tribute to the thousands of Ground Zero rescue and recovery workers who worked around the clock in the aftermath of 9/11 as the city, the nation and the world supported them. The previews are free, but reservations are required. Learn more at 911memorial.org/dedication.

The Museum includes two core exhibitions at the foundation, or bedrock, of the historic trade center complex. The memorial exhibition – called “In Memoriam” – pays tribute to the 2,983 men, women and children killed on 9/11 and in the February 26, 1993 bombing of the World Trade Center. The historical exhibition tells the story of what happened on 9/11 at the three attack sites and around the world. It also explores what led up to the terror strikes, examines the aftermath and shows how 9/11 continues to shape our world.

The history is told through monumental and personal artifacts, photographs, audio and video footage, first-person testimonials, and personal possessions and memorabilia.

Tickets to the Museum for visits when it opens to the general public were available at 911memorial.org, beginning March 26.

There are various discounts and admission is free Tuesdays from 5 p.m. to 8 p.m. 9/11 family members do not have to pay an admission to visit the Museum. 9/11 rescue and recovery workers who are registered with the Memorial also visit for free. •

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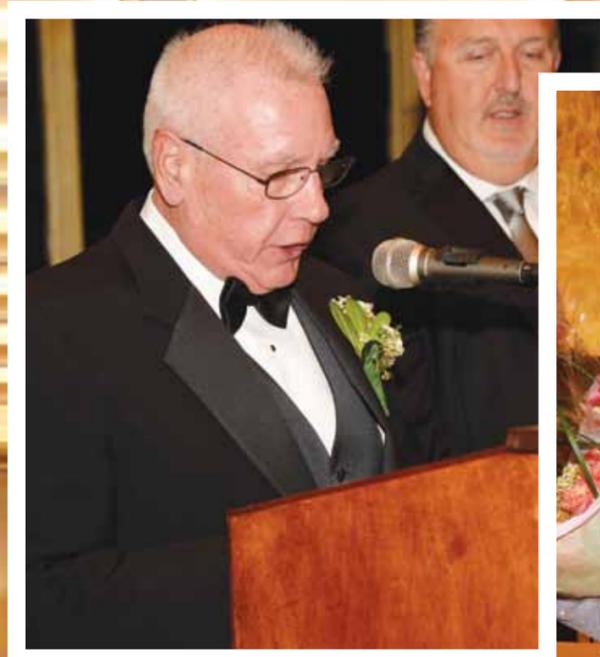
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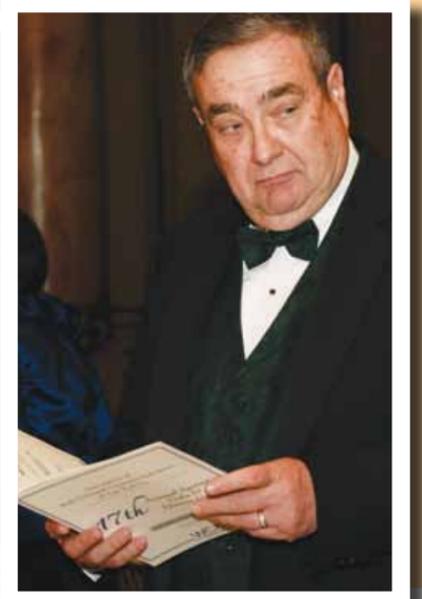
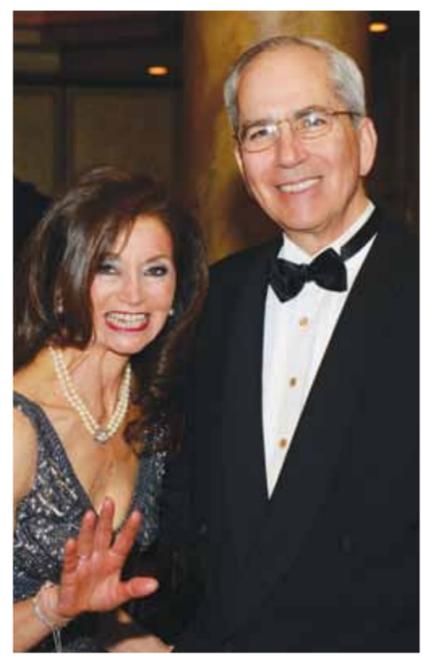


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17th Annual WC&C Spring Dinner Dance

Terrace On The Park
April 5th 2014







Our Aging and Dangerous Urban Infrastructure

By Steven Cohen
Executive Director,
Columbia University's Earth Institute

The horrific tragedy of the gas explosion in East Harlem was first and foremost a story of great sadness, coupled with accounts of personal courage and resilience. The tragedy has also renewed discussion about the importance of maintaining our city's aging infrastructure -- both public and private. Earlier in the month, a small local think tank, The Center for an Urban Future, released a report that was unfortunately all too timely, "Caution Ahead: Overdue Investments for New York's Aging Infrastructure". While acknowledging that the city is in better shape than it was in the 1980s when it was literally falling apart, the report notes that many...of the city's roads, bridges, subways, water mains, sewer systems, school buildings and other public buildings are more than 50 years old, and many critical components are past their useful life and highly susceptible to breaks and malfunctions. Over 1,000 miles of New York City water mains are more than 100 years old, leading to frequent and disruptive breaks. More than 160 bridges across the five boroughs were built over a century ago, and in 2012 47 bridges were deemed both structurally deficient and fracture critical, a designation engineers use for bridges that have little structural redundancy, making them prone to failure and collapse.

This is not a problem limited to New York City, but one that is seen throughout the United States. In many cities of the "Rust Belt", the infrastructure crisis has been a fact of life for decades. In the relatively newer cities of the "Sun Belt", these problems are beginning to emerge. The declining tax receipts of shrinking cities like Detroit make it difficult for those cities to fund capital projects. The anti-tax and anti-government ideology of many wealthy Sun Belt cities can also make it difficult for those governments to fund capital facilities. In some cases, like the gas lines in New York City, the capital costs are assumed by regulated private utilities who retire their debt by adding it to your utility bill. Many Sun Belt cities are looking to privatize public facilities in order to attract private capital to ensure that the cost of upkeep is hidden in "user fees" rather than taxes.

While New York's infrastructure is aging, the city has a reasonably healthy capital budget. Over the past decade, New York City's capital budget has ranged from \$6 billion to \$12 billion. New York's overall debt is \$68 billion, and while much of the capital budget is devoted to new construction, a substantial portion is devoted to rebuilding existing structures and facilities. The city's debt level is substantial, but not overwhelming. Of the

city's annual budget of about \$70 billion, approximately \$5 billion is devoted to servicing or paying down the city's debt.

I know that to some, "debt" is a dirty word, but it's important to distinguish between a debt and a deficit. A deficit is caused when your expenses exceed your revenues. A debt is caused when you borrow money to build something with the intent of paying it back. Deficits are always bad, but debt can be a sign of prudent investment. One of the concepts behind debt is that since you are building something that you will use for at least twenty years, why not pay the costs of that facility over the first twenty years it will be in use, rather than during the years it is being built? A healthy and visionary organization builds for the future, not simply for the present. While you could wait twenty years and first save the money before you build, you don't get the productive advantage of the new facility for many years. Debt and investment is an indicator of our faith in the future. It can be seen as a sign of strength rather than weakness.

It is also important to understand that all capital projects are not created equal. Politicians love to cut a ribbon on a new school, swimming pool or train station. New construction is always fun and

exciting. But what about a project like taking out an old water pipe under the road and replacing it with a new one? Or even a relatively invisible piece of new construction like New York City's multi-billion dollar third water tunnel. Capital projects that involve renovation and repair compete for funding with capital projects that create visible and flashy new facilities. It's not a fair fight. In New York City, some capital projects are funded by the city and controlled by the city. But some, such as mass transit, are controlled by New York State's MTA and some, such as the airports, are controlled by the Port Authority of New York and New Jersey. The Center for an Urban Future estimates that simply ensuring that all existing facilities in New York City are in "good repair" will cost a little more than \$47 billion over the next five years, even though only \$13 billion is expected to be available for those expenses.

In a complex and interdependent society and economy we share many critical facilities such as roads, power lines, water and sewage systems, bridges, airports, schools and parks. These are not facilities that will be provided by the free market.

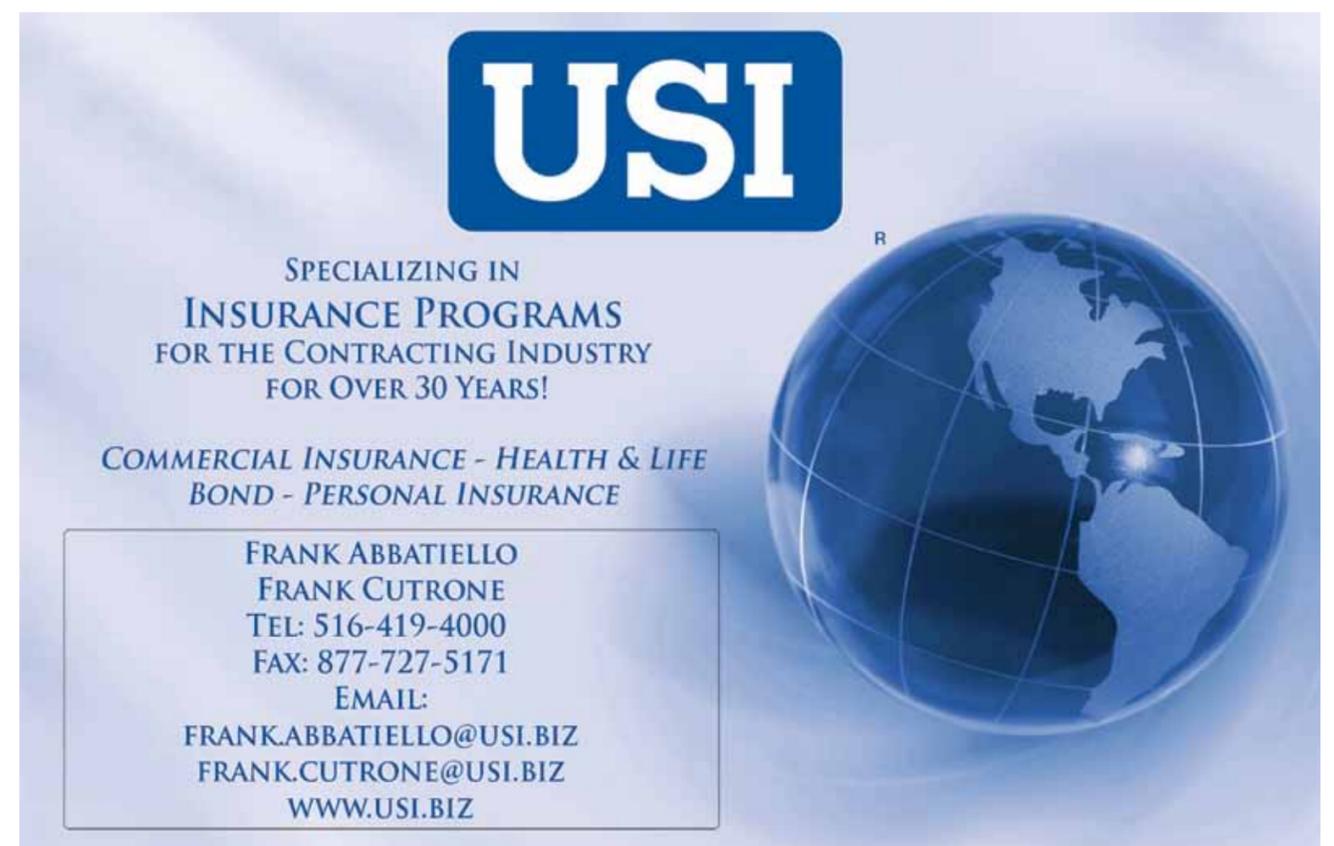
They are, however, facilities vital for a community's economic well-being. They must be planned, funded, and managed by the government. While most of the actual construction and rehabilitation of these facilities is performed by private firms under contract to the government, they still require a strong, active, and well-managed government to be competently financed, built and operated. A United States congress that can no longer legislate can't be helpful in planning and funding national infrastructure. Today's national government could never design and construct anything like the interstate highway system; it's not even clear they know how to build a website. Anti-tax and anti-government states have similar problems. They do not have the political will or the management capacity needed to build and maintain public infrastructure.

Anyone driving the highways in the Northeast this month knows that those roads have taken a real beating through this endless winter. Bridges, railroad tracks, airport runways, power cables and even underground pipes and power lines are also subject to wear and tear. Regular and routine maintenance and replacement

needs to be a standard management practice by government and regulated utilities. It must be adequately funded as an expected element of the budget process. If you own a house you know that every ten to twenty years the roof needs to be replaced. In between replacement, you monitor and patch as needed. If you don't take care of the roof, it costs a lot more to repair the damage that results from the leaks you could have avoided. Government infrastructure is no different.

In the case of aging infrastructure we face the possibility of closed bridges, disrupted water supplies and delays on mass transit. There is also a chance of tragedy when bridges fall, trains derail or gas lines leak. We do not yet know the root cause of the explosion in East Harlem last week. We do know that people lost their lives, their loved ones, their homes and a treasured part of their community. We also know that sadly, there is the potential for plenty more where that came from. We can and must do better.

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Is Passive Passé? : The Coming Revolution in Personal Safety

By Max Baker, CEO, ILLUMAGEAR

Every day, on average, two people in the U.S. who work in construction do not return home to their families because they were killed on the job. And every day construction workers rely on personal protection equipment (PPE) to help keep them safe by making them more visible to others. But why are we relying on products and systems that are inherently passive and do not leverage the technology available today? Why do we continue to use passive rather than active safety tools to ensure workers get home safe?

Construction work is dangerous and the costs of injury are high, both on a personal level as well as a business level. In 2011, there were over 119,000 injuries and over 700 deaths in the U.S. alone.¹ The average comprehensive cost per injury varies from \$27,000 for a possible injury to over \$4.4 million for a fatality.² The cost of injuries and fatalities is economically staggering, but that doesn't even begin to take into consideration the cost to the families, friends, and coworkers of the people that get hurt or die.

Leading construction companies and industry organizations have been working for years to continuously improve the overall level of safety on the jobsite. These groups are not just concerned with having a low EMR but with creating real "safety maturity".³ To that end, these companies and organizations are spending time and money to build out teams that are focused on more than just compliance. This is where the real shift is occurring in jobsite safety. It is an overall shift in the cultural acceptance of accidents on the job. Accidents are no longer just part of doing regular business. They are viewed as a sign of running a poor business. Safety managers are most directly responsible for implementing and overseeing safety on site, and their credentials now influence the awarding of major projects. The awarding of a recent, massive multibillion-dollar job in NYC had, as part of the bid review process, very specific qualifications for the Site Safety Manager.⁴ This is going to become much more commonplace in the future as the role of the Safety Manager becomes more and more important. Many owners are now requiring safety professionals with high-level qualifications to be a part of a winning bid.

There remains a real gap in the availability of innovative products that help support this attitude of safety maturity, versus simple compliance. There are a few companies that are pushing

innovative software solutions for the field and office to collaborate more efficiently. However, most of these software solutions are not targeted at improving safety. There remains a need for better products aimed at safety, especially in the construction industry. Innovative hardware safety products and solutions are especially lagging. Up to now the majority of safety products have been focused on passive rather than active alert methods. The problem with passive alerts using retro-reflective materials is that they are only as effective as the third-party light source reflecting them (such as an 18-wheeler's headlights as it comes around the bend at 65 miles an hour). Today we are still relying on the reflective vest as the primary means for illuminating a person at risk – a product that came out in the 1970s and hasn't significantly changed in 40 years. While it is intuitively obvious that high-visibility clothing should make its wearer safer, to date there are no specific studies on the effectiveness of reflective safety vests. Still, reflective safety vests are required as part of the uniform for most professionals working in construction, as well as many other industries including law enforcement, fire safety, and air-traffic control. The time is past due to redefine what it means to be safe and modernize safety solutions that are trapped in the past.

Technology is changing rapidly. Light-emitting diodes (LEDs) and new battery technologies rewrite the rules for the illumination solutions available on the job. Composite materials provide stronger, lighter equipment than the gear used by those who taught us the trades. Wireless communication is changing how we communicate on the jobsite via Wi-Fi and LTE networks. Radio-frequency identification (RFID) technology increases the means by which we can view and see people and equipment on the job. Technologies like accelerometers and gyroscopes help measure the speed, distance, and orientation of wearable technology solutions.

The construction industry understands that it is time for a new generation of safety gear. Many construction industry leaders are driving the change inside their organizations. The motivation and the technology exists to promote real change. We are at a tipping point. There is a real opportunity to deliver a better safety

experience through innovative products – products that radically improve the safety of people working in risky environments – making them more visible and more productive. Doing so has the potential to increase productivity and reduce on-site accidents, which, in turn, will reduce worker compensation claims, lower insurance costs, and, most importantly, get workers home safely every night.

The creation of an Active Safety System linking both hardware and software is the next major step in personal safety. It will create an Active Jobsite where supervisors, safety managers, and equipment operators will be able to identify everyone on site visually or virtually at all times. This will aid field operations in a variety of different ways.

Today, when there is a jobsite evacuation (e.g. caused by a chemical spill), the only way to know if everyone is off the jobsite and accounted for is for the Safety Manager to do a manual headcount. With an Active Jobsite the Safety Managers will be able to check a tablet or smartphone and know immediately if everyone was clear of the evacuation area. Currently when a crane moves a load overhead on a jobsite someone on the ground directs the crane operator with hand signals and a radio. The crane operator may blow a horn to notify people that there is a load in the air while the rigger yells at people to get them out of the path of the crane. If the crane operator had a live monitor feed he would see everyone in the path of the load and could proactively prevent injuries associated with falling materials by avoiding them.

Today if you need to locate someone outside your visual sight line you call them using a mobile phone and proceed to track them down. On an Active Jobsite you will be able to immediately locate the person or notify them of an issue. There are a lot of reasons why this could be important: secured areas, two person zones, injury (man-down) situations, and a host of other reasons. On an Active Jobsite, if someone falls and gets knocked out with no one around, the speed and direction of their fall, as well as any following movement, could be measured automatically and a warning automatically sent to the Safety

Manager. All of these scenarios become possible on an Active Jobsite where the gear and hardware that people wear are connected by a communications layer to an intelligent software platform.

Today jobsites are closed and isolated silos of independent systems and workflow. In the future, they will be connected and open. This will require the combination of wearable technologies and integrated software solutions as part of an overall safety system. Location tracking systems (GPS/RFID) and advanced visual alerts (LEDs) will be commonplace.

Real safety maturity is about more than just passive policies and solutions. It is about proactively working to prevent hazardous situations when possible and actively monitoring and communicating any risks. Safety should not be reliant on passive behaviors and products; it should be guided by an integrated, active system. Forward-thinking field personnel, managers, and companies, are demanding better safety tools and solutions to help move the industry forward and keep their workers safe. We are at a tipping point where 'passive' becomes passé and 'active' becomes synonymous with safety.

Max Baker is CEO of ILLUMAGEAR, a Seattle-based company focused on improving worker safety in risky environments and bringing innovative products to market that define a new category of safety gear.

(Endnotes)

1 OSHA - <https://www.osha.gov/oshstats/commonstats.html>

2 National Safety Council - "Estimating the Cost of Unintentional Injuries" http://www.nsc.org/news_resources/injury_and_death_statistics/Pages/EstimatingtheCostsofUnintentionalInjuries.aspx

3 Clark Peterson, Regional ES &H Director, CHST, CMSP, CHMM, LEED A, Skanska USA Civil West

4 Dr. Sathy Rajendran, PhD, CSP, CRIS, LEED AP, Central Washington University. "Recruiting & Retaining the Next Generation of Safety Professionals" Presentation at Skanska Joint AGC Safety Meeting, Riverside California: July 10th, 2013 •

Office Fit-Outs And The Lien Law

By Henry L. Goldberg, Managing Partner
and Erik A. Ortmann, Partner
Goldberg & Connolly Attorneys at Law

To meet the needs of the modern office environment, modular construction is increasingly in use in interior commercial construction. Modular construction allows the end user to expand, reconfigure and add or subtract work space, which makes it easier to move partition walls, cabinets and other office components to accommodate a change in space. Despite this trend, a New York Court has been recently presented with the issue of whether a subcontractor that installs these types of office work stations, cabinets, and partition walls, is protected by the Lien Law.

In this case, the general contractor challenged the subcontractor's mechanic's lien rights. The primary argument of the general contractor was that modular office installations, work stations, partitions and office front wall/partition systems are not lienable because such work should not be considered permanent "improvements" to real property. The general contractor likened the installation of work stations to "moveable furniture and furnishings." Furthermore, it argued that because the installed materials were moveable, and/or readily removable, none of the subcontractor's work permanently improved the realty.

Pursuant to the Lien Law, the term "improvement" includes, "the demolition, erection, alteration or repair of any structure upon, connected with, or beneath the surface of, any real property and any work done upon such property or materials furnished for its permanent improvement."

In this recent decision successfully obtained by Goldberg & Connolly, the court ruled that the work of a subcontractor that provided such fit-outs for commercial offices is protected by the Lien Law. This subcontractor specifically constructed work stations, installed and bolted to overhead cabinets to walls, constructed partition walls and, glazed and installed glass walls. The installations were affixed

by bolts and screws, permanently installed tracks or cleats attached to the office buildings' walls and floors.

The Court considered how other courts have determined whether the installations of materials are improvements to real property. The Court noted that doors, paneling, kitchen sinks, carpeting, and various appliances have been found to qualify as permanent improvements. The Court contrasted such improvements of real property from items that are "easily and customarily moved," such as furniture, carpets, hangings and pictures.

In reaching its decision, the Court considered the manner in which the subcontractor installed the workstations. Specifically, the Court noted how the glass panels for the partitions, used by the subcontractor, were held in place by hardware that is screwed to office walls and how the subcontractor screwed or toggle-bolted small plates or cleats to the wall to hang wall cabinets. The Court further noted that the subcontractor screwed tops of office front systems into drywall ceilings. This was enough for the Court to find that the workstations installed by the subcontractor are a "permanent" improvement entitled to protection under the Lien

Law. Notably, the Court explained that "A minimal degree or lack of damage to the realty involved in installing or removing an item does not control whether an item is an improvement to realty." Thus, the Court dismissed the general contractor's arguments and held that the installation materials' attachment to the property constituted a permanent improvement under the Lien Law.

Goldberg & Connolly Commentary

Considering the increasing use of modular construction in interior commercial work, the issue of whether certain office fit out work constitutes a "permanent improvement" to the property was bound to surface. This recent decision represents an important review of the issue and, most importantly, a victory for the subcontractor. While a right to lien depends on the facts presented in each case, this decision establishes that the "modular" nature of a project does not, in it of itself, prevent a contractor from enforcing its Lien Law rights. Such systems can be "lienable" permanent improvement under the right circumstances. •

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For more information about Goldberg & Connolly, please visit www.goldbergconnolly.com.

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The hiring of a lawyer is an important decision that should not be based solely upon advertisements. Before you decide, ask us to send you written information about our qualifications and experience.

PRODUCT NEWS

On Center Software Announces New Partnership with MarinoWARE®

On Center Software Expands Quick Bid® Databases to
include a MarinoWARE® Steel Framing Database



On Center Software, the first name in construction automation, announces today a new partnership with MarinoWARE®. Through this strategic partnership, MarinoWARE®'s innovative steel framing products are now immediately available for contractors within On Center Software's Quick Bid® solution.

Quick Bid® is the preferred estimating solution for construction professionals. This highly intuitive software enables contractors to easily, accurately, and consistently increase project win rates and profit margins. The award-winning solution improves ramp up time, eliminates discrepancies, improves bottom line profits, provides material quotes, identifies and analyzes risk factors, measures and analyzes project progress, and also provides reports.

"Through the past 70 years of manufacturing steel framing products, we provide the highest quality solutions and services that our clients expect," says Jim DesLaurier, VP of Marketing at MarinoWARE®. "We are thrilled to partner with On Center Software to provide the automation tools necessary to be successful in today's software driven world within the construction industry."

MarinoWARE® is a long-standing manufacturer of steel-framing products, and is committed to leading the industry in innovation, quality materials, and customer service. They offer a wide choice of framing components and connectors that save customers time, labor, and cost. MarinoWARE® operates state-of-the-art production facilities in New Jersey, Georgia, Indiana, Texas, and New York.

"We recognize that we need to provide solutions to help clients succeed throughout the construction lifecycle—this means partnering with construction industry leaders such as MarinoWARE®. Together we will deliver the best combination of automation and steel framing materials to contractors," states Angelo Castelli, COO at On Center Software.

For more information about MarinoWARE®, visit www.marinoware.com. For more information about On Center Software, visit www.oncenter.com

Startup PocketCake Aims To Bring Virtual Reality Simulations To The AEC Masses



PocketCake, a virtual reality simulation firm is working with some of the nation's top architectural and engineering companies, converting their 3D models into stunning virtual reality simulations using the Oculus Rift a virtual reality head-mounted display.

Founded in November 2012, PocketCake's simulations offer first-person interaction from the comfort of a

laptop. You are in the driver's seat. From homes and churches to stadiums and fairgrounds, nothing enhances a client's - or an architect's - conception of a project better than virtual reality.

Instead of an abstract blueprint process, a virtual reality simulation ensures your concepts look exactly as you envisioned them. For a price that's comparable to traditional architectural illustrations, a prospective client can have an immersive 3D experience in which they inhabit real space, walking wherever they like.

BIM technology, once a rarity in the architectural industry, is now mainstream as a majority of buildings are crafted digitally. Virtual reality is the next logical step for BIM. PocketCake can also convert point cloud data into a mesh that's usable in a virtual reality environment.

PocketCake is currently developing a proprietary product called VRSCA

(Virtual Reality Simulation Converter Assembly), which will allow architects and engineers to easily navigate up to four people through a virtual space at the same time and host up to 32 viewers remotely.

PocketCake, founded in November 2012, specializes in virtual reality simulations and custom mobile app development. For more information visit www.pockcake.com.

Hilti TE 70-AVR and TE 70-AVR-ATC Combihammers Proven and Improved



The next generation of Hilti TE 70 Combihammers unleashes incredible power and speed while maintaining maximum protection and comfort.

With a powerful 1800-watt motor, the TE 70 delivers impressive power for fast drilling in various applications, including drilling in concrete, stone and masonry with TE-YX (SDS Max) bits; drilling holes for rebar dowels and anchor bolts; through-hole drilling and coring for mechanical and electrical applications, as well as chiseling and demolition of concrete and masonry.

This best-in-class combihammer has been upgraded to include Active Vibration Reduction (AVR) and Active Torque Control (ATC). For added operator protection, the unique Hilti Active Torque Control (ATC) reduces the possibility of twisting should the drill bit catch. The Active Vibration Reduction (AVR) system dramatically reduces the vibration passed along to the operator during operation, reducing fatigue and allowing them to work longer.

These hard-hitting combihammers have proven time and again that they are the best in the business. And now the best have gotten even better.

For more information visit www.hilti.ca.

PRODUCT NEWS

Ace Hardware Expands Wholesale Distribution Network with the Acquisition of Emery-Waterhouse

Ace Hardware becomes majority owner of New England-based hardlines distributor

Ace Hardware Corporation, the largest retailer-owned hardware cooperative in the industry, announced that it has acquired Emery-Waterhouse; a profitable 170-year-old distributor of hardlines products for independent lumber, paint, industrial and hardware outlets.

Emery-Waterhouse will move forward as an independently operated, majority-owned subsidiary of Ace Hardware. The Emery-Waterhouse brand will continue operations as a separate business with a distinct management team that provides wholesale distribution services to independent retailers.

The experienced leadership team of Emery-Waterhouse will remain and continue to manage the business; including Steve Frawley, CEO and Don Dickson, COO. Emery-Waterhouse's long-time majority owner, Charlie Hildreth, will continue to have a presence in the organization.

"The acquisition of Emery-Waterhouse serves as a tremendous catalyst to leverage wholesale purchasing power," said John Venhuizen, President and CEO, Ace Hardware Corporation. "We are confident that both Ace retailers and Emery-Waterhouse customers will benefit from the additional scale and expanded assortments."

"As a leader in the hardlines wholesale distribution industry, aligning with Ace Hardware - the nation's largest convenience hardware leader at wholesale and at retail - simply makes good business sense," said Steve Frawley, CEO, Emery-Waterhouse. "Knowing that we are part of a changing and consolidating industry, this is the right decision for Emery-Waterhouse and our customers."

"The Ace team is very excited to join hands with Emery-Waterhouse. Both companies have been successful with foundations built on excellent wholesale distribution and cultures built around customer service." Venhuizen said, "My belief continues to be that Ace has two options as our industry evolves and consolidates; we can do nothing and hope the chips fall our way, or we can participate as a leader to shape our industry for the long-term benefit of Ace shareholders. As the current leader and largest hardlines wholesale distributor in the nation, our Board of Director's and Officer Team's preference is to lead."

Two New Products From Bosch



Lightweight Bosch CSW41 Worm Drive Saw Delivers Increased Durability and Power

7-1/4-inch circular saw boasts all-magnesium construction for optimum handling and robustness

The new Bosch CSW41 worm drive saw answers user demands for a lightweight saw without compromising durability and power. Featuring all-magnesium construction, an advanced oil lubrication system and a 15-amp motor, this tool delivers unmatched comfort and control for a wide variety of concrete form building, framing and decking applications.

With an operating weight of just 13.2 pounds and magnesium construction, the lightweight CSW41 reduces user fatigue and features soft grip on the main handle for added comfort and control. Easy-to-access metal depth



and bevel adjustment levers allow users to make quick modifications for multiple cuts, and contrasting scale marks help ensure accuracy with each adjustment. With a large bevel capacity of up to 53 degrees and a positive stop at 45 degrees, the CSW41 can be used to tackle even the most advanced projects.

Not only does the CSW41 deliver optimum user-handling and comfort, but it is also durable enough to withstand tough jobsite conditions. The magnesium construction remains rigid under load and effectively dissipates heat. In addition, five ball bearings provide added stability, strength and life to the motor and worm drive gears. An advanced oil lubrication system also ensures longer gear life.

The 15-amp motor delivers ample power for a variety of applications, including concrete form-building, bridge-building, framing, sheathing and deck-building. Worm drive gears feature tall, deep teeth that maximize the contact area and offer a higher load capacity than other gearing configurations. This increased surface engagement drives additional power, enabling the CSW41 to cut through various materials with speed and precision.

An on-board multi-function wrench makes it easy for users to conveniently change blades, brushes and oil, adjust the levers and remove the blade diamond arbor knock out, while a built-in saw hook allows for convenient storage between cuts. The CSW41 is compatible with the WD7RIP adjustable fence and the WD7LUB worm drive saw lubricant.

The CSW41 offers form-builders, framers, deckers and general contractors a lightweight worm drive saw that delivers the ultimate in user-handling, durability and power. Retailing for a suggested price of \$219, the CSW41 was available in February 2014 at authorized dealers nationwide. To find out more or to locate a dealer, visit <http://www.boschtools.com> or call 877-BOSCH-99.

Bosch Also Introduces New Dust Extraction System for Improved Jobsite Dust Collection

Dirt and dust don't stand a chance against customizable nine- and 14-gallon portable vacuums

PRODUCT NEWS



As the benchmark for jobsite dust and dirt collection standards continue to grow, Bosch introduces a portable solution with a new lineup of nine- and 14-gallon vacuums. The VAC090S and VAC090A nine-gallon vacuums and VAC140S and VAC140A 14-gallon vacuums not only increase dust extraction performance with a best-in-class cubic feet of air per minute (CFM) rate and suction power, but they also decrease the loss of suction by offering two options of on-board filter cleaning; semi-automatic and automatic. These features are especially important in applications that require premium dust extraction such as tuckpointing, concrete surfacing, concrete drilling, cutting and chipping concrete, and collecting a diversity of dust particles in stationary workshops.

An unclogged filter is critical for optimal vacuum performance and dust extraction efficiency, and Bosch's offering of integrated automatic and semi-automatic filter cleaning systems makes it easier for users to ensure their devices are working effectively. These features also increase jobsite productivity by eliminating the need for filters to be tediously cleaned by hand. Outfitted with an automatic filter cleaning mechanism, the VAC090A and VAC140A self clean the flat pleated filter through a reverse airflow every 15 seconds during operation without compromising suction or performance. The VAC090S and VAC140S use a similar airflow cleaning process and include a module on the hose that allows the user to cut of suction and activate the filter cleaning with the push of a button. Filter cleaning, however, is not recommended when using a HEPA filter as these are delicate and must be handled carefully. Instead, users should use a fleeced or paper bag as a pre-filter to prevent the HEPA filter from becoming clogged.

Power tool compatibility is an enhanced, new feature of these vacuums. Not only is each new device compatible with Bosch's acclaimed

Click & Go System, thus eliminating the need for additional trips to collect tools and accessories, but the vacuum hose can also be securely attached to dust collection guards and shrouds with either the

friction fit power tool adapter or clicked together with the quick connect system. A power tool activation feature with power broker is also present to minimize blown circuits (power broker is only available in automatic filter cleaning models).

Other noteworthy features of the VAC090 and VAC140 vacuums are integrated cord and hose storage solutions, and a wet vacuuming water level sensor that protects the motor by

automatically shutting down the device when water reaches a maximum height during wet applications. The entire build of the vacuums is made with the user in mind. Not only are the rubber wheels and locking casters created to withstand the rough terrain of the jobsite, but the larger 14-gallon vacuum includes a metal frame and convenient push handle to make transportation easier.

A number of additional accessories are available for the VAC090 and VAC140 including the VX110 extension tube and VX130 floor tool set. Users can also add the VF120H HEPA filter to create an EPA compliant HEPA vacuum. Both vacuum sizes are compatible with a number of filters and bags to aid with debris collection in a variety of application situations. Each vacuum comes with a kit including the VH1635 locking hose, VF100 filter and VB000P plastic bag.

The VAC090 and VAC140 was available in February 2014 at authorized dealers nationwide. Suggested retail prices range from \$549 to \$669 based on the model selected. To find out more or to locate a dealer, visit www.boschtools.com or call 877-BOSCH-99.

Cemco® Now Exclusive Manufacturer And Supplier Of ProX Header®



CEMCO announced an agreement with Brady Innovations to become the exclusive manufacturer and supplier of ProX Header. All ProX Header products will be manufactured in CEMCO's state-of-the-art manufacturing facilities located in strategic metropolitan markets in the United States.

CEMCO's Executive Vice-President Tom Porter states "We are excited to be the exclusive manufacturer of the ProX Header product line. Our goal is to improve product availability across the country and Canada. When you combine ProX Header with a CEMCO wide-flange jamb stud, you have a winning combination for Rough-Opening framing. CEMCO is gearing up for growth in its Rough-Opening sales".

Todd Brady, President of Brady

Innovations and developer of ProX Header says "On the manufacturing side CEMCO has taken the leadership role in manufacturing and supplying quality ProX Header components to the industry at a fair price. CEMCO's service is the best in the industry, making CEMCO a great partner. On code compliance; the recently issued IAPMO ER-0286 verifies ProX Header is 2012 IBC compliant, including pre-approved header schedules. Our new mobile website puts all of the tools for Simple Code Compliance, Easy Member Selection, and Fast Installation at your finger-tips. See it at www.proxhdr.com.

For more information on how ProX Header and other rough-opening products from CEMCO, contact Mike Dolati, product manager for the ProX Header product line at 626-290-6303 or visit www.cemcosteel.com.

PRODUCT NEWS

Revolutionary Moisture Managing Batt Insulation from CertainTeed Lets Walls Breathe to Help Maintain Dry, Healthy Indoor Environments

Representing First Innovation in Kraft Facing in Decades, Dynamic MoistureSense™ Technology Constantly Adapts Permeability to Changing Conditions in the Wall



CertainTeed is revolutionizing the way builders and contractors approach thermal performance and moisture management with the introduction of SMARTBATT™ with MoistureSense™ Technology, the industry's first kraft-faced fiberglass batt insulation that contributes to healthier homes and buildings by intelligently managing moisture. The exclusive new product will be introduced at the International

Builders Show (Booth #C2127), Feb. 4-6 in Las Vegas.

SMARTBATT features first-of-its-kind MoistureSense technology, which unlike traditional polyethylene vapor barriers, is a smart vapor retarder. It adapts based on moisture levels in the wall cavity, blocking moisture from entering when humidity is low and allowing the wall to breathe when it senses high humidity that needs to be released, helping reduce the potential for mold and mildew growth.

"For the first time in decades, we're changing the way the industry views insulation facing," said Kelly Warren, senior product manager for CertainTeed Insulation. "Moisture is unavoidable in any home and can lead to health problems if unaddressed. SMARTBATT is the only dynamic insulation that can constantly adapt to a home's unique conditions to help ensure protection from moisture in any season or climate. When installed with a caulk and seal package this unique product provides an unparalleled combination of moisture management, thermal performance, air tightness and acoustics which equates to complete comfort inside a home."

By integrating the revolutionary MoistureSense kraft-facing onto a high-performance fiberglass batt, SMARTBATT provides a single solution for complete indoor comfort that can be easily installed in one step. It is ideal for crawlspaces, basements, bathrooms, laundry rooms, kitchens and exterior walls — any place traditional kraft insulation is typically used. Compared to traditional kraft-faced batt insulation—which has limited permeance—SMARTBATT can adapt from almost completely closed during winter months to fully open in the summer, when humidity is at its peak.

SMARTBATT also offers an alternative to the practice of installing a vapor barrier film over unfaced batts, eliminating the need for a two-step installation and saving considerable time and labor costs. It is available in R-values ranging from R-13 to R-38, and with 2/3 less asphalt, is easier to cut and installs just like traditional kraft-faced insulation, requiring no special tools or training.

"The tighter building envelopes required by the 2012 International Energy Conservation Code (IECC) can potentially lead to problems if moisture becomes trapped within the structure," Warren said. "SMARTBATT is the only insulation on the market that when paired with a caulk and seal package can address new air tightness requirements while also enabling the wall to breathe—all in a single, easy-to-install fiberglass batt."

SMARTBATT is produced with a commitment to environmental stewardship. Its main raw material is sand, an inert, abundant and naturally renewing resource. In addition, it includes

both pre- and post-consumer recycled glass and a sustainable, plant-based binder that contains no added formaldehyde, acrylics, dyes, or unnecessary fire retardants and is GREENGUARD Gold Certified for low chemical emissions.

For more information, go to www.certainteed.com/smartbatt

New Milwaukee® Laser Distance Meters Simplified for Faster Measurements

Milwaukee Tool Corporation continues to expand their Test & Measurement offering with two new laser distance meters that are designed with a simplified, intuitive interface and universal icons for faster measurements and increased productivity.

"Many users are not familiar with the full functionality and capability of their distance meters because the icons are difficult to understand and the units are not intuitive," says Ernie Racenet, Director of Marketing, Product Management for Milwaukee Tool Corporation. "Featuring a simplified interface, and even packaged with a quick reference guide, this tool not only delivers professional accuracy and functionality, but is the easiest to use in its class."

The new 2281-20 Laser Distance Meter offers five different measurement functions that allow users to calculate length (up to 200ft), area, and volume, as well as measure distance with indirect measurement (Pythagorean), and stake out equal distances such as studs.

In addition to these functions, the 2282-20 Laser Distance Meter has additional features that include increased distance measurement



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(up to 260ft), a timer delay for increased measurement accuracy and effortless single-person operation, as well as an inclination function that registers the angle of the unit for more accurate measurements and calculations.

Both units offer memory storage, the ability to add/subtract distances and dimensions, and the ability to attach the unit to a tripod for the most accurate measurements. In addition, each unit is designed to fit squarely into corners and lay flat/level when on or against a flat surface for extreme accuracy.

Complete with an easy to read, back-lit display and rugged over-molding, the new Laser Distance Meters confirm Milwaukee's commitment to best-in-class durability and their relentless mission to provide innovative solutions to the end user that will increase productivity in professional, commercial and industrial applications. The new units were scheduled to be available in February, 2014.

Parex Releases New Mobile Phone Application

Parex USA, Inc., the parent company of leading building material brands; Parex, Teifs, LaHabra, El Rey, and Merkrete, unveils its first mobile phone app. The free app, currently available for iPhone, iPad and Android devices, can be downloaded from the iTunes App Store and Google Play Store.

Parex launched the app in response to increased demand from its architectural customers, applicators and distributors to obtain product information in a digital format, specifically for mobile devices. This convenient mobile app provides easy access to resources for all Parex products and systems, including Parex EIFS and Stucco Assemblies.

Notable features include:

- Access to all Parex brand products and support collateral such as details, specifications, brochures, product data sheets and safety data sheets.
- Capabilities to email documents directly from the app.
- Quick links to Parex's Technical Services Department where users can contact the department directly via phone, or submit a message with the option of uploading an image about the project.
- Distributor locator based on current

location or regional search. Search results include Distributor Address, Phone, Email and step-by-step directions from the user's current location.

"This app has proven to be a very useful tool for our customers and sales representatives," says Heidi Larsen, Product Marketing Manager. "Not only does it provide expanded access to digital versions of our details, specifications and literature, but it will also make it easier for users locate the nearest location to purchase our products."

For more information regarding Parex USA, Inc. visit www.parexusa.com.

Extra Strength Drywall Tape From Saint-Gobain

The world's first and leading fiberglass mesh drywall tape brand, FibaTape® from Saint-Gobain Adfors, has added a new drywall tape to its product line. The new F i b a T a p e Extra Strength

fiberglass mesh tape is a patent-pending multidirectional tape for reinforcing joints. Designed to increase structural integrity and joint strength, the new tape is ideal for demanding applications.

FibaTape® Extra Strength tape has a multidirectional design that is 60% stronger than standard mesh tape. The open mesh design eliminates blisters and bubbles. The wider tape provides better gap coverage of joints and more tack, making it ideal for applications that require additional strength including vaulted ceilings, arches, halls and veneer plaster jobs. And because it is a self-adhesive tape, it requires no pre-bedding coat. Innovative and unique, the featured multidirectional pattern, additional fiberglass and extra adhesive help offset lateral movement in a crack. Thin and lightweight, this new tape offers superior seamless drywall finishing. FibaTape Extra Strength tape is available in 2 3/8" x 250' rolls. Each roll is shrink-wrapped, labeled, and shipped 20 each per shelf/counter display case. For more information visit www.adfors.com.



WernerCo Develops Lightweight Performance Extension Ladders

New Werner Ladder Designed to Improve Mobility and Worker Efficiency; Up to 12% Lighter Weight than Standard Extension Ladders

WernerCo, the trusted leader in the manufacturing of professional and consumer ladders, today introduced Lightweight Performance (LP) Extension Ladders, lighter-weight construction designed to minimize the risk of injury from lifting or transporting heavy ladders. Werner products are continually recognized for their durability, quality and safety as well as meeting or exceeding national safety standards. The new Lightweight Performance Extension Ladders are built to the same high quality Werner standards but improved to deliver lightweight performance without compromising strength and structural integrity.

"With our telecom professional tradesmen in mind, we have developed some of the lightest extension ladders on the market delivering top of the line performance," said Chris Filardi, Vice President of Marketing for WernerCo. "The LP ladders are up to 12% lighter weight to allow the professional to focus their energy on the job at hand and to reduce overall worker fatigue on the jobsite."

Reduced User Fatigue; Better Mobility Leads to Greater Efficiency

The new Werner Lightweight Performance Extension Ladders are designed to improve set-up, mobility and worker efficiency. These lightweight performance ladders minimize the risk of injury when a job requires working with or transporting fiberglass extension ladders. These new ladders are designed to have the benefits of less weight without compromising the performance that end users expect from Werner. The new Werner Lightweight Performance Extension Ladders offer ALFLO Twist-Proof® performance, features D-rungs on every step and more durable feet than other lightweight brands. The new LP ladders provide superior performance and reliability versus the competition.

The LP ladders are available through national retailers and distributors. For more information, please visit <http://us.wernerco.com>.

Design-Build Hailed as Success But Could Change Derail Renewal?

A 2011 state law set to expire at the end of the year is widely credited with shaving years off large public infrastructure projects and saving \$1 billion on a single bridge, but builders in New York City are worried that a brewing labor conflict could threaten its renewal, according to an article in Crain's New York Business.

The measure in question is design-build legislation, which Gov. Andrew Cuomo's budget proposal calls for renewal of as crucial to infrastructure projects throughout New York City and beyond.

"The debate in Albany cries out for compromise," said Richard Anderson, president of the New York Building Congress in a quote by Crain's. "All sides have much to gain from the bill's passage."

Design-build allows a single development team to submit both the design and construction plans at the same time for certain projects, such as bridges built for the state Department of Transportation. Combining the two elements saves time and money and eliminates the risk of finger-pointing and lawsuits between construction and architecture firms who bid separately before working together.

The program draws wide praise from the construction industry. Supporters say it is saving \$1 billion on the cost of a new Tappan Zee Bridge, about 20% of the total, and has

shaved years off a pipeline of state projects.

However, the governor has added language to his updated budget proposal that would require a project labor agreement for any design-build project topping \$10 million; a requirement that would virtually assure such projects be built with union labor.

This has apparently caused concern for some groups such as the Associated General Contractors of New York State, which includes both union and nonunion members. The Crain's article quotes Michael Elmendorf, chief executive at the association. "We support the concept of design-build," said Mr. Elmendorf, "but there are likely going to be some significant concerns about (the) new language."

The project labor agreements would be drawn up between the

government and the collection of construction firms on a job. The agreements typically attract union construction shops that can all agree on wages and hours worked. Mr. Elmendorf said it works well downstate, but could pose a challenge to firms based elsewhere where organized labor is not as prominent.

The New York State Building and Construction Trades Council has long supported project-labor agreements and thinks they should be mandatory for state projects. "Am I pleased 100 percent? No," James Cahill, president of the council, said of the new language in Mr. Cuomo's budget. "But I am happy with the [the new bill]."

Mr. Cahill contends project labor agreements save taxpayers money. He noted that Mr. Cuomo's bill calls for such agreements on design-build projects only if a feasibility study finds a labor cost savings of 5 percent or more. •

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